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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON**

NATHAN CAMPTON,	) Case No.
	)
Plaintiff,	) <b>COMPLAINT FOR VIOLATION</b>
	) <b>OF FEDERAL FAIR DEBT</b>
vs.	) <b>COLLECTION PRACTICES ACT</b>
	)
NCO FINANCIAL SYSTEMS, INC.,	)
	)
Defendant.	)
	)

**I. NATURE OF ACTION**

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA") and of the Revised Code of Washington, Chapter 19.16, both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices. Plaintiff further alleges a claim for invasion of privacy by intrusion, ancillary to Defendant's collection efforts.

COMPLAINT FOR VIOLATIONS OF THE FAIR  
DEBT COLLECTION PRACTICES ACT-5

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## II. JURISDICTION

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).

## III. PARTIES

3. Plaintiff, Nathan Campton, is a natural person residing in the State of Washington, County of Spokane, and City of Spokane.

4. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3), and a “debtor” as defined by RCW § 19.16.100(11).

5. At all relevant times herein, Defendant, NCO Financial Systems, Inc., (“Defendant”) was a company engaged, by use of the mails and telephone, in the business of attempting to collect a “debt” from Plaintiff, as defined by 15 U.S.C. §1692a(5).

6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6), and a “licensee,” as defined by RCW § 19.16.100(9).

## IV. FACTUAL ALLEGATIONS

7. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt. Defendant’s conduct violated the FDCPA and RCW § 19.16 in multiple ways, including but not limited to threatening to take an action against Plaintiff that

cannot be legally taken or that was not actually intended to be taken, including threatening to report a debt to Plaintiff's credit report that is over seven and a half (7 ½) years old since the date of first default (§ 1692e(5)).

8. Defendant's aforementioned activities, set out in paragraph 8, also constitute an intentional intrusion into Plaintiff's private places and into private matters of Plaintiff's life, conducted in a manner highly offensive to a reasonable person. With respect to the setting that was the target of Defendant's intrusions, Plaintiff had a subjective expectation of privacy that was objectively reasonable under the circumstances.

9. As a result of Defendant's behavior, detailed above, Plaintiff suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and emotional distress.

**COUNT I: VIOLATION OF FAIR DEBT  
COLLECTION PRACTICES ACT**

10. Plaintiff reincorporates by reference all of the preceding paragraphs.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

A. Declaratory judgment that Defendant's conduct violated the FDCPA;

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- B. Actual damages;
- C. Statutory damages;
- D. Costs and reasonable attorney's fees; and,
- E. For such other and further relief as may be just and proper.

**COUNT II: VIOLATION OF WASHINGTON COLLECTION AGENCY  
ACT, WHICH IS A PER SE VIOLATION OF THE WASHINGTON  
CONSUMER PROTECTION ACT**

11. Plaintiff reincorporates by reference all of the preceding paragraphs.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered  
against the Defendant for the following:

- B. Actual damages;
- C. Discretionary Treble Damages;
- D. Costs and reasonable attorney's fees,
- F. For such other and further relief as may be just and proper.

Respectfully submitted this 14<sup>th</sup> day of January, 2009.

s/Jon N. Robbins  
Jon N. Robbins  
WEISBERG & MEYERS, LLC  
Attorney for Plaintiff